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Electronically Filed

Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

BRETT W. & MERRY C. OGILVIE,

Plaintiffs,

v.

CARRON COBB, MANAGER, U.S. BANK,
KLAICH ANIMAL HOSPITAL, LTD,
LORI HARRIS, REVENUE OFFICER,
DOUGLAS SHULMAN, I.R.S. COMMISSIONER,
CHRIS WAGNER, DEPUTY COMMISSIONER,
KATHERINE WELLSLEY, MANAGER,
ROBERT (BOB) CAREY, TERRITORY
MANAGER, HARRY MANKA, DIRECTOR,
DAVID ALITO, COLLECTIONS DIRECTOR,
MS. BROGAN, ID #16-02444, SR. DISCLOSURE
SPECIALIST, and C.J. MILLS, DISCLOSURE
MANAGER.

Defendants.

Civil No. 3:08-cv-269

STATEMENT CONCERNING REMOVAL

The federal defendants, by and through their undersigned counsel, hereby respond to the Court's Order Concerning Removal as follows:

1. The date(s) on which you were served with a copy of the complaint in the removed action.

Response: The federal defendants employed by the Internal Revenue Service were served with a copy of the complaint by first class U.S. mail on May 2, 2008, with the exception of defendant Katherine Wellsley, who was personally served with the complaint on May 13, 2008.

2. The date(s) on which you were served with a copy of the summons.

Response: The federal defendants employed by the Internal Revenue Service were served with a copy of the summons by first class U.S. mail on May 2, 2008, with the exception of defendant Katherine Wellsley, who was personally served with a summons on May 13, 2008.

3. In removals based on diversity jurisdiction, the names of any served defendants who are citizens of Nevada, the citizenship of the other parties and a summary of defendant's evidence of the amount in controversy.

Response: This action was removed pursuant to 28 U.S.C. §§ 1441 and 1442.

4. If your notice of removal was filed more than thirty (30) days after you first received a copy of the summons and complaint, the reason removal has taken place at this time and the date you first received a paper identifying the basis for removal.

Response: Not Applicable.

5. In actions removed on the basis of this Court's jurisdiction in which the action in state court was commenced more than one year before the date of removal, the reasons this action should not summarily be remanded to the state court.

Response: Not applicable.

6. The name(s) of any defendant(s) known to have been served before you filed the notice of removal who did not formally join in the notice of removal and the reasons why they did not.

Response: Since the United States removed this action pursuant to 28 U.S.C. §§ 1441 and 1442, it was not necessary to obtain the consent of the remaining defendants to the removal.

Respectfully submitted this 3rd day of June, 2008.

GREGORY A. BROWER
United States Attorney

/s/ Virginia Cronan Lowe
VIRGINIA CRONAN LOWE
Trial Attorney, Tax Division
U.S. Department of Justice

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing STATEMENT CONCERNING REMOVAL has been made this 3rd day of June, 2008, by depositing a copy thereof in the United States Mail in a postage prepaid envelope addressed to:

Brett W. & Merry C. Ogilvie
2530 Sunline Drive
Reno, Nevada 89523

Klaich Animal Hospital, LTD
1990 South Virginia Street
Reno, Nevada 89502

Carron Cobb
Garnishment/Levy/Child Support Lien Dept.
CH-OH-L2GT
P.O. Box 5220
Cincinnati, Ohio 45201

/s/ Virginia Cronan Lowe
VIRGINIA CRONAN LOWE
Trial Attorney, Tax Division
U.S. Department of Justice